

**Information to identify the case:**

Debtor 1	<b>James D. Malyuk</b>	Social Security number or ITIN	<b>xxx-xx-5327</b>
	First Name Middle Name Last Name	EIN	__-_____-
Debtor 2	<b>Nancy L. Malyuk</b>	Social Security number or ITIN	<b>xxx-xx-5384</b>
(Spouse, if filing)	First Name Middle Name Last Name	EIN	__-_____-
United States Bankruptcy Court <b>WESTERN DISTRICT OF PENNSYLVANIA</b>			
Case number: <b>16-10530-TPA</b>			

## Order of Discharge

12/15

**IT IS ORDERED:** A discharge under 11 U.S.C. § 1328(a) is granted to:

James D. Malyuk

Nancy L. Malyuk

6/16/20

**By the court:** Thomas P. Agresti  
United States Bankruptcy Judge

### Explanation of Bankruptcy Discharge in a Chapter 13 Case

This order does not close or dismiss the case.

#### Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily. 11 U.S.C. § 524(f).

#### Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts provided for by the chapter 13 plan.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

#### Some debts are not discharged

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for certain types of taxes specified in 11 U.S.C. §§ 507(a)(8)(C), 523(a)(1)(B), or 523(a)(1)(C) to the extent not paid in full under the plan;

**For more information, see page 2**

- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for restitution, or a criminal fine, included in a sentence on debtor's criminal conviction;
- ◆ some debts which the debtors did not properly list;
- ◆ debts provided for under 11 U.S.C. § 1322(b)(5) and on which the last payment or other transfer is due after the date on which the final payment under the plan was due;
- ◆ debts for certain consumer purchases made after the bankruptcy case was filed if obtaining the trustee's prior approval of incurring the debt was practicable but was not obtained;

- ◆ debts for restitution, or damages, awarded in a civil action against the debtor as a result of malicious or willful injury by the debtor that caused personal injury to an individual or the death of an individual; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

**This information is only a general summary of a chapter 13 discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.**

## Imaged Certificate of Notice Page 3 of 4

United States Bankruptcy Court  
Western District of PennsylvaniaIn re:  
James D. Malyuk  
Nancy L. Malyuk  
DebtorsCase No. 16-10530-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1

User: agro  
Form ID: 3180WPage 1 of 2  
Total Noticed: 22

Date Rcvd: Jun 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 18, 2020.

db/jdb +James D. Malyuk, Nancy L. Malyuk, 10040 Hillwood Drive, Wattsburg, PA 16442-9578  
 14239202 +Erie County Tax Claim Bureau, 140 West 6th Street, Erie, PA 16501-1073  
 14246326 +Northstar Capital Acquisition, 170 North Pointe Parkway, Suite 300, Amherst, NY 14228-1992  
 14246323 +Northwest Savings Bank, PO Box 337, Warren PA 16365-0337  
 14239204 +Penelec, PO Box 3687, Akron, OH 44309-3687  
 14239207 +Trident Asset Management, Po Box 888424, Atlanta, GA 30356-0424

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
smg E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jun 17 2020 04:16:18 Pennsylvania Dept. of Revenue,  
Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION,  
Harrisburg, PA 17128-0946

cr EDI: RECOVERYCORP.COM Jun 17 2020 07:58:00 Recovery Management Systems Corporation,  
25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605  
 14239200 +E-mail/Text: matthartweg@cbjcredit.com Jun 17 2020 04:16:56 Cbj Credit Recovery,  
Po Box 1132, Jamestown, NY 14702-1132  
 14263006 +E-mail/Text: kthomas@eriefcu.org Jun 17 2020 04:16:07 Erie Federal Credit Union,  
1109 E. 38th Street, Erie, PA 16504-1845  
 14312063 +E-mail/Text: bknotices@sns.com Jun 17 2020 04:16:58 Gemini Capital Managers LLC,  
c/o SN Servicing Corporation, 323 5th Street, Eureka, CA 95501-0305  
 14239203 +EDI: IIC9.COM Jun 17 2020 07:58:00 IC Systems, Inc, 444 Highway 96 East, Po Box 64378,  
St Paul, MN 55164-0378  
 15109542 +E-mail/Text: bknotices@sns.com Jun 17 2020 04:16:59 Maurice Gaston LLC,  
C/O SN Servicing Corp., 323 5th Street, Eureka, CA 95501-0305  
 14246324 +EDI: MID8.COM Jun 17 2020 07:58:00 Midland Credit Management, 2365 Northside Drive,  
Suite 300, San Diego CA 92108-2709  
 14246325 +EDI: AIS.COM Jun 17 2020 07:58:00 Midland Funding LLC, Attn: Department 1, PO Box 4457,  
Houston TX 77210-4457  
 14248778 EDI: RECOVERYCORP.COM Jun 17 2020 07:58:00 Orion Portfolio Services LLC,  
c/o Recovery Management Systems Corp, 25 SE 2nd Avenue Suite 1120, Miami, FL 33131-1605  
 14246327 +E-mail/Text: csidl@sbcglobal.net Jun 17 2020 04:16:46 Premier Bankcard/Charter,  
PO Box 2208, Vacaville CA 95696-8208  
 14262098 EDI: Q3G.COM Jun 17 2020 07:58:00 Quantum3 Group LLC as agent for, Quantum3 Funding LLC,  
PO Box 788, Kirkland, WA 98083-0788  
 14243587 EDI: RECOVERYCORP.COM Jun 17 2020 07:58:00 Recovery Management Systems Corporation,  
25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605  
 14239205 +EDI: RECOVERYCORP.COM Jun 17 2020 07:58:00 Recovery Management Systems Corporation,  
25 SE Second Avenue, Suite 1220, Miami, FL 33131-1605  
 14239206 E-mail/Text: bknotices@sns.com Jun 17 2020 04:16:59 SN Servicing Corporation,  
323 Fifth Street, Eureka, CA 95501  
 14239208 +E-mail/Text: webadmin@vhl.co Jun 17 2020 04:16:50 Vance & Huffman LLC,  
55 Monette Parkway Suite 100, Smithfield, VA 23430-2577

TOTAL: 16

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Gemini Capital Managers LLC  
 cr Maurice Gaston LLC  
 14239201 ##+Collection Service Center, 689 North Hermitage Road #6, Hermitage, PA 16148-3237  
 14248723 ##+Penelec, c/o First Energy, 331 Newman Spring Road, Bldg. 3, Red Bank, NJ 07701-6771  
 TOTALS: 2, \* 0, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 18, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-1

User: agro  
Form ID: 3180W

Page 2 of 2  
Total Noticed: 22

Date Rcvd: Jun 16, 2020

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 16, 2020 at the address(es) listed below:

Brian E. Caine on behalf of Creditor Maurice Gaston LLC bcaine@parkermccay.com,  
BKcourtnotices@parkermccay.com  
Brian E. Caine on behalf of Creditor Gemini Capital Managers LLC bcaine@parkermccay.com,  
BKcourtnotices@parkermccay.com  
Daniel P. Foster on behalf of Joint Debtor Nancy L. Malyuk dan@mrdebtbuster.com,  
katie@mrdebtbuster.com/kaitlyn@mrdebtbuster.com/kristen@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Debtor James D. Malyuk dan@mrdebtbuster.com,  
katie@mrdebtbuster.com/kaitlyn@mrdebtbuster.com/kristen@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com  
James Warmbrodt on behalf of Creditor Maurice Gaston LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7